

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DALE MCMANN and JANICE MCMANN,  
husband and wife,

NO. 2:14-cv-00281-RSM

**Plaintiffs,**

**ORDER GRANTING GOODYEAR'S  
MOTION FOR SUMMARY  
JUDGMENT**

AIR & LIQUID SYSTEMS CORP., et al.,

Defendants.

This matter comes before the Court on Defendant Goodyear Tire & Rubber Co.’s (“Goodyear”) Motion for Summary Judgment. Dkt. #161. Goodyear seeks dismissal of the claims against it on the basis that there is no evidence that Dale McMann ever worked with Granite sheet metal material manufactured by Goodyear. *Id.* Plaintiffs have failed to respond to the motion. Co-Defendants have also failed to respond to the motion with respect to any pending cross-claims. “If a party fails to file papers in opposition to a motion, such failure may be considered by the court as an admission that the motion has merit.” Local Rule CR 7(b)(2).

The Court has reviewed the motion and supporting declarations, and finds the motion has merit. The Court also deems Plaintiff's and Co-Defendants' failures to respond to the motion as an admission of the same.

Accordingly, the Court hereby finds and ORDERS:

1. Goodyear's Motion for Summary Judgment (Dkt. #161) is GRANTED and all claims against it are DISMISSED with prejudice.
2. All pending cross-claims against Goodyear are also DISMISSED with prejudice, and Goodyear is no longer a party to this action.

DATED this 25<sup>th</sup> day of November, 2014.

  
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**RICARDO S. MARTINEZ**  
**UNITED STATES DISTRICT JUDGE**